

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CYNTHIA S. GILLETTE, individually and
derivatively on behalf of nominal defendant
BLIMPIE OF CALIFORNIA, INC.,

Plaintiff,

07 Civ. 4697 (CLB)

v.

JEFFREY ENDERVELT, BELLE
ENDERVELT and DORA RICCI,

Defendants,

and

BLIMPIE OF CALIFORNIA, INC.,

Nominal Defendant.
-----X

**NOTICE OF SETTLEMENT OF ORDER GRANTING PLAINTIFF'S MOTION FOR
THE APPOINTMENT OF A GUARDIAN AD LITEM**

PLEASE TAKE NOTICE that plaintiff Cynthia S. Gillette ("Gillette"), individually and derivatively on behalf of nominal defendant Blimpie of California, Inc. ("BOC") (collectively, "Plaintiff"), will present the attached proposed order to the Honorable Charles L. Brieant, United States District Judge, for signature on February 19, 2008.

PLEASE TAKE FURTHER NOTICE that counter-orders, if any, must be submitted to the Court and received by the undersigned by February 15, 2008.

Dated: New York, New York
February 11, 2008

/s/ Kevin Fritz

Bijan Amini (BA 3533)
Kevin Fritz (KF 6788)
STORCH AMINI MUNVES PC
Two Grand Central Tower
140 East 45th Street, 25th Floor
New York, New York 10017
Tel: (212) 490-4100
Fax: (212) 490-4208

Attorneys for Plaintiff

TO: Steven Sledzik, Esq.
JONES GARNEAU, LLP
670 White Plains Road, Penthouse
Scarsdale, NY 10583
Tel: (914) 472-2300
Fax: (914) 472-2312